

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Revenue Department – Allegation of corruption against Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District – Trapped by the Anti-Corruption Bureau Officials on 23-09-2008 – Sanction for Prosecution - Orders – Issued.

REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 248

Dated:29-03-2010.

Read the following:

- 1) G.O.Ms.No.44, Revenue (Vigilance-VII) Dept., Dt:18-01-2010.
- 2) From the D.G., A.C.B., Letter No.223/RCT-VSK/2008,
Dated:01-02-2010.
- 3) G.O.Ms.No.140, Revenue (Vigilance-VII) Dept, Dt:17-02-2010
- 4) From the D.G., A.C.B., Letter No.223/RCT-VSK/2008,
Dated:10-03-2010.

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ORDER:

Whereas, Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, worked as Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District from 08-02-2007 to 23-09-2008. By virtue of the post held by him, he falls within the category of public servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2. And whereas, Sri Nakka Malleswara Rao, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District demanded a bribe of Rs.5,000/- from the complainant, Sri Ponnada Adinarayana, S/o. Sri Seetham Naidu, Garraju Cheepurupalli Village, Rajam Mandal of Srikakulam District for doing the official favour of issuing Pattadar Pass Books and title deed, and on 22-09-2008 at 11:00 hours, the complainant Sri Ponnada Adinarayana along with the accompanying witness Sri Gangu Pari Naidu came to the Office of the Inspector, Anti-Corruption Bureau, Srikakulam and gave a written report alleging that due to old age, his father Sri Seetham Naidu intended to share his agricultural lands between him and his brother Sri Appalanaidu equally and asked them to complete necessary formalities. Accordingly, prior to 15 days back of his lodging of complaint with the Inspector, Anti-Corruption Bureau, Srikakulam, when he met the Accused Officer, Sri Nakka Malleswara Rao and informed the intention of his father to him, who was working as Village Revenue Officer of Garraju Cheepurupalli Village, the Accused Officer Sri Nakka Malleswara Rao instructed him to bring his father and brother. As per the

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instructions of the Accused Officer, Sri Nakka Malleswara Rao, on 08-09-2008 when he approached the Accused Officer at his office along with his father and brother, the Accused Officer, Sri Nakka Malleswara Rao confronted with his father about his intention of distribution of his lands between his sons and asked him to bring Judicial Stamps of Rs.50/- and Rs.20/-. Accordingly, Sri P.Adinarayana purchased the same in the name of his father and on 20-09-2008 at about 11:00 A.M. and handed over the same to the Accused Officer, Sri Nakka Malleswara Rao, who obtained thumb impressions of his father on the said non-judicial stamp papers and received Pattadar Pass Books and title deed from his father. Further, the Accused Officer, Sri Nakka Malleswara Rao also received three pass port size photos of Sri P.Adinarayana and his brother and informed them that he would prepare the pattadar pass books and title deeds by showing the equal share of land of his father by getting the signatures of the Tahsildar and so saying the Accused Officer, Sri Nakka Malleswara Rao demanded Rs.5,000/- as bribe to prepare and issue two pattadar pass books and title deeds. When Sri P.Adinarayana expressed his inability to pay such huge amount as bribe, the Accused Officer Sri Nakka Malleswara Rao instructed him unless the demanded bribe was paid, he would not issue the said pattadar pass books and title deeds. But the complainant was unwilling to pay any bribe to the Accused Officer, Sri Nakka Malleswara Rao;

3. And whereas, Sri Ponnada Adinarayana, S/o. Sri Seetham Naidu, Garraju Cheepurupalli Village, Rajam Mandal of Srikakulam District, who was unwilling to pay the bribe to Sri Nakka Malleswara Rao, approached the Inspector of Police, Anti-Corruption Bureau, Srikakulam District, Vizianaga-ram Range on 22-09-2008 and gave a written complaint for taking necessary action against Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District. The Inspector, Anti-Corruption Bureau, Srikakulam District, Vizianagaram Range after observing the due procedure, registered the same as a case in Cr.No.12/RC-ACB/VZM/2008 under section 7 of the Prevention of Corruption Act, 1988 of Anti-Corruption Bureau, Vizianagaram Range, against Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District at 07:00 A.M. on 23-09-2008 and took up investigation;

4. And whereas, it is further alleged that during the course of trap on 23-09-2008 at 11:35 hours, the complainant Sri Ponnada Adinarayana, S/o. Sri Seetham Naidu, Garraju Cheepurupalli Village, Rajam Mandal of Srikakulam District, and the accompanying witness, proceeded towards to the Office of the Accused Officer which is situated at Garraju Cheepurupalli near S.C. Colony. The complainant Sri Ponnada Adinarayana and the accompanying witness entered into the Office of the Accused Officer, when the complainant and accompanying witness were seen by the Accused Officer then he re-iterated his earlier demand of bribe of Rs.5,000/- for doing official favour, and accepted tainted amount Rs.5,000/- at about 11:35 hours with his right hand and counted the currency notes with both his hands and kept the same in his left side shirt pocket;

5. And whereas, the both hand fingers solution of the Accused Officer, Sri Nakka Malleswara Rao, inner lining of the left side pocket of the Accused Officer, yielded positive results when subjected to chemical test in the presence of mediators. The tainted amount, resultant solutions and the connected records were seized by the Inspector, Anti-Corruption Bureau, Srikakulam duly attested by him and mediators;

6. And whereas, the above said acts of Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District, constitute offences punishable under section 7 and sub section (2) of section 13 read-with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

7. And whereas, Government of Andhra Pradesh, being the authority competent to remove the said Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District from Government service and after fully and carefully examining the material viz., copy of First Information Report, Mediator's Report- I & II, Final Report, gist of statements of witnesses and other material placed before them, with regard to the said allegations and having applied their mind to the facts and circumstances of the case, consider that the said Sri Nakka Malleswara Rao, S/o late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District, should be prosecuted in a Court of Law for the above said offences;

8. Therefore, in exercise of the powers conferred by clause (c) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh accorded sanction for prosecution of the said Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District for the above said offences punishable under section 7 and sub- section(2) of section 13 read-with clause(d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any provisions of law for the time being in force in respect of the said allegations and for taking cognizance of the said offences by a court of competent jurisdiction...vide G.O. first read above.

9. The Director General, Anti-Corruption Bureau in his letter second read above while returning the original G.O. first read above, has requested the Govt. to issue fresh/revised sanction order duly rectifying a defect mentioned in it.

10. Accordingly, in cancellation of the orders issued in the G.O. first read above; and in exercise of the powers conferred by clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh accorded sanction for prosecution of the said Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer,

Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District for the above said offences punishable under section 7 and sub-section(2) of section 13 read-with clause(d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any provisions of law for the time being in force in respect of the said allegations and for taking cognizance of the said offences by a court of competent jurisdiction.

11. The Director General, Anti-Corruption Bureau in his letter fourth read above while returning the original G.O. third read above, has requested the Govt. to re-issue a revised prosecution sanction order, duly rectifying a defect mentioned in it.

12. Now, therefore, in cancellation of the orders issued in the G.O. third read above; and in exercise of the powers conferred by clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act,1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri Nakka Malleswara Rao, S/o. late Ramu Naidu, Village Revenue Officer, Garraju Cheepurupalli Village, Rajam Mandal, Srikakulam District for the above said offences punishable under section 7 and sub-section(2) of section 13 read-with clause(d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any provisions of law for the time being in force in respect of the said allegations and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.

//FORWARDED BY::ORDER//

SECTION OFFICER